

REMARKS

The Applicant has received and reviewed the Office Action dated May 31, 2005 wherein the Office objected to claims 2-10 due to informalities; rejected claims 1 and 22 under 35 U.S.C. 102(b) as being anticipated by the reference of Dunn et al. (U.S. Patent No. 5,542,503); rejected claims 2 and 11-21 under 35 U.S.C. 103(a) as being unpatentable over the reference of Dunn et al.; and rejected claims 3-10 under 35 U.S.C. 103(a) as being unpatentable over the reference of Dunn et al. in view of the reference of Baumgartner (U.S. Patent No. 6,626,273).

Teleconference of July 26, 2005

In response to the above Office Action, a teleconference was set-up between the Applicant's attorney, the Applicant's Australian Associate and the Office on July 26, 2005 in order for the Applicant's attorney and the Applicant's Australian Associate to more clearly understand the Office's position with regards to the above rejections in view of the cited references.

During the teleconference, the Office noted that the language in claim 1 of the present application with regards to the positioning of the "pair of intermediate pillars" (identified by Applicant's reference numeral 11) was unclear. The Office then stated that if the Applicant amends the claim to more clearly define or describe the positioning of the "pair of intermediate pillars," that the Office will enter the amendment after final and allow the claim. In view of the aforementioned, the Applicant has amended the applications as follows in order to place the present application in a condition for allowance.

Objection to the Claims

Applicant's claims 2-10 stand objected to due to informalities. More specifically, the Office noted on page 2, line 4 of the Office Action that in "Claim 2, lines 2, "the sides" should be -sides-." In response to the Office's aforementioned objection to claims 2-10, the Applicant has amended claim 2 per the Office's suggestions in order to remove the informalities in the claims. It is for the aforementioned that the Applicant respectfully request that the Office's objection to Applicant's claims 2-10 be withdrawn.

Rejection under 35 U.S.C. 102(b) and 103(a)

Applicant's claims 1 and 22 stand rejected under 35 U.S.C. 102(b) as being anticipated by the reference of Dunn et al. (U.S. Patent No. 5,542,503.) Applicant's claims 2 and 11-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the reference of Dunn et al. Applicant's claims 3-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the reference of Dunn et al. in view of the reference of Baumgartner (U.S. Patent No. 6,626,273).

In regards to the Office's above rejection to Applicant's independent claim 1, and in light of the aforementioned teleconference of July 26, 2005, the Applicant has amended independent claim 1 to more clearly define or describe the positioning of the "pair of intermediate pillars" of Applicant's independent claim 1. More specifically, independent claim 1 has been amended to describe the pillars as:

“...arranged in repeating clusters of six; said pillars in cross section including radially aligned inner and outer pillars with pairs of intermediate pillars positioned radially between said inner and outer pillars,...” (Emphasis added.)

Support for the above amendment to Applicant’s independent claim 1 can be found for example in Figure 5 of the Applicant’s drawings. In describing the amendments made to independent claim 1, the Applicant notes that the radially aligned inner and outer pillars form annular inner and outer regions defining in effect an intermediate annular region between them. It is in aforementioned intermediate annular region that the pairs of intermediate pillars are located.

It is submitted that the above feature, namely the presence of the pairs of intermediate pillars intermediate annular region of the discs, serves to offer support in the radially intermediate area of the disc where the maximum effect of braking pressure from the brake pads occurs in addition to the cooling advantage conferred by the radially offset channels located between the overlapping edges of the pillars.

The Applicant respectfully submits that the reference of Dunn et al. does not teach the above. In regards to Dunn et al.’s first post 46a and third post 46c, which the Office refers to as “... pairs of intermediate pillars ...,” (page 2, lines 19-22 of the office action) the Applicant respectfully submits that Dunn et al.’s first post 46a and third post 46c are not the same as the pairs of intermediate pillars of Applicant’s amended independent claim 1 as Dunn et al.’s first post 46a and third post 46c are not positioned radially between Dunn et al.’s second post 46b and fourth post 46d, which the Office on page 2, lines 19-22 of the

office action refers to as radially aligned inner and outer pillars. (See for example Figure 5 and 6 of Dunn et al.

In further regards to the above, the Applicant respectfully notes that the above features of the Applicant's invention, which is commercially marketed as the "Kangaroo Paw" has encounter success. The Applicant directs the Office's attention to the manufacturer's website listed below as evidence of the aforementioned.

"http://www.dba.com.au/dba_catalogue_2004/HTML?Kangarooseries/Kangaroo_index.htm"

It is for the above reasons that the Applicant respectfully submits that Applicant's independent claim 1 is not anticipated by the reference of Dunn et al.

In regards to Applicant's claims 2-22, Applicant's dependent claims 2-22 each depend on Applicant's amended independent claim 1. Since Applicant's amended independent claim 1 is now allowable for the reasons given above, Applicant respectfully submits that dependent claims 2-22 should now also be allowable.

In view of the above, it is respectfully submitted that the application is in condition for allowance. Allowance of claims 1-22, as amended, is respectfully requested. Applicant has enclosed a version of the amendment showing changes made with this response.

Respectfully submitted,

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